

The court incorporates by reference in this paragraph and adopts as the findings and orders of this court the document set forth below. This document has been entered electronically in the record of the United States Bankruptcy Court for the Northern District of Ohio.




John P. Gustafson
United States Bankruptcy Judge

Dated: June 3 2019

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF OHIO**

In re:) Case No. 19-40267-jpg
)
California Palms, LLC,)
) Chapter 11
Debtor.)
) Judge John P. Gustafson
)
) Property Address and Parcel No.:
) Parcel No. 48-042-0-063.000
) 1051 N. Canfield Niles Rd., Austintown,
) Ohio (aka 5455 Clarkins Drive, Austintown
) Township, Ohio)
)
) **ORDER GRANTING *EX PARTE***
) **MOTION FOR SHORTENED NOTICE**
) **PERIOD AND REDUCED NOTICE**
) **FOR MOTION OF PENDER CAPITAL**
) **ASSET BASED LENDING FUND I, L.P.**
) **FOR REMAND OF REMOVED CASE**
) **NUMBER 2018-CV-01015 TO**
) **MAHONING COUNTY COURT,**
) **STATE OF OHIO**

This matter came before the Court on the Ex Parte Motion for Shortened Notice Period and Reduced Notice for Motion of Pender Capital Asset Based Lending Fund I, L.P. for Remand of Removed Case Number 2018-CV-01015 to Mahoning County Court, State Of Ohio (the “*Ex Parte Motion*,” Doc No. 96) filed by Pender Capital Asset Based Lending Fund I, L.P. (the “Movant”). The *Ex Parte Motion* seeks to reduce the notice period in connection with the *Motion of Pender Capital Asset Based Lending Fund I, L.P. for Remand of Removed Case Number 2018-CV-01015 to Mahoning County Court, State of Ohio* [Doc. No. 94] (“Remand Motion”) filed by the Movant.

The court has reviewed the *Ex Parte Motion* and finds that a hearing is unnecessary. The *Ex Parte Motion* sufficiently demonstrates cause for reduction of the notice period as required by Federal Rule of Bankruptcy Procedure 9006(c).

NOW THEREFORE, IT IS HEREBY ORDERED THAT the *Ex Parte Motion* is granted.

IT IS FURTHER ORDERED that the Remand Motion shall be heard on **June 10, 2019, at 10.00 a.m.** at the U.S. Bankruptcy Court for the Northern District of Ohio, 10 E Commerce St, Youngstown, Ohio.

IT IS FURTHER ORDERED THAT any objection to the Remand Motion shall be filed with the court and served on requisite parties by **5:00 p.m. (Eastern) on Friday, June 7, 2019.**

IT IS FURTHER ORDERED THAT in the event no objections are timely filed, the Movant may file a certificate of no objection, in which case the Court may enter an order approving the relief sought without the need for a hearing.

IT IS FURTHER ORDERED THAT ECF service of this Order provides sufficient notice to interested parties who may wish to review and potentially object to the Motion.

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SUBMITTED BY:

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*Attorneys for Pender Capital Asset Based
Lending Fund I, L.P.*

INSTRUCTIONS TO THE CLERK

Please serve the foregoing Order upon the parties listed below, as indicated:

Via the Court's Electronic Case Filing System:

Jeffrey Kurz jeffkurz@hotmail.com, dc1095dt@yahoo.com
Sebastian Rucci SebRucci@gmail.com
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